

(A)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

CHICAGO EASTERN DIVISION

Ravanna Sanders-Bey ) Appeal from the District Court for the  
Petitioner/Appellant ) Northern District, Chicago Eastern Division  
v Appellant Case No. 07-2204 ) District Court No. 07 C 538  
And Case No. 07-3891 ) Honorable Wayne R. Andersen  
John Cunningham Dugan, Comptroller, et al )  
Office of the Comptroller of the Currency )  
Respondents / Appellee(s) )

J N  
**FILED**  
FEB 08 2008 FEB 13 2008

Date: February 08, 2008

The Petitioner/Plaintiff: Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Muurs  
MICHAEL W. DOBBINS  
U.S. DISTRICT COURT

**NOTICE OF ENTRY OF DEFAULT AND ORDER FOR ENFORCEMENT**

[Fed. R. App. P. Rule 27(a)(2)(C)(ii) and Rule 15(b)(2)]

[Fed. R. Civ. P. Rule 55(b)(2) and Rule 54(c) & (e)]

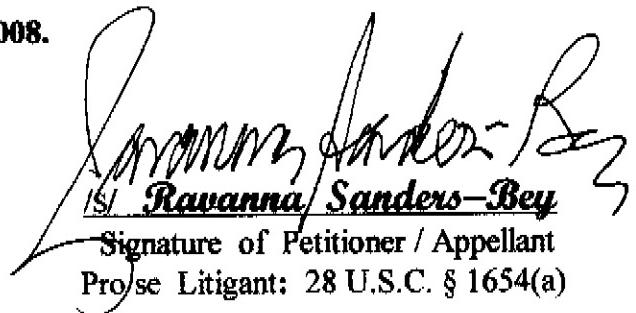
**PLEASE TAKE NOTICE** that on **February 08, 2008**, I have this day filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, **Petitioner/Appellant's Motion for Judgment by Default and Application to Enforce a Judgment by Default**, a copy of which is attached hereto. Notice is hereby served on the **U.S. Attorney** and the **Attorney General**, and that movant will present this **Notice**, accompanied by **Petitioner / Appellant's Motion for Judgment by Default and Application to Enforce**, to the Clerk of the Court.

To: **JOHN CUNNINGHAM DUGAN**  
Office of the Comptroller of the Currency  
U.S. Department of the Treasury, 9<sup>th</sup> Floor  
Independence Square, 250 E Street, S.W.  
Washington, D.C. 20219 - 0000

**MICHAEL B. MUKASEY**, Atty. General  
Attorney General of the United States  
United States Department of Justice  
10<sup>th</sup> & Constitution Avenues, NW # 5111  
Washington, D.C. 20530 - 0000

I hereby certify that I have caused to be filed and served with the United States District Court for the Northern District of Illinois, Eastern Division, a copy of the attached documents with the Court and, via U.S. mail delivery, service to the **Comptroller of the Currency, JOHN CUNNINGHAM DUGAN**, this **08<sup>th</sup>** day of **February, 2008**.

**Patrick Fitzgerald**, U.S. Attorney  
Northern District of Illinois  
Chicago Eastern Division, 5<sup>th</sup> Floor  
219 South Dearborn Street  
Chicago, Illinois 60604 - 0000

  
/s/ Ravanna Sanders-Bey  
Signature of Petitioner / Appellant  
Pro se Litigant: 28 U.S.C. § 1654(a)

(A)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

CHICAGO EASTERN DIVISION

Ravanna Sanders-Bey ) Appeal from the District Court for the  
Petitioner/Appellant ) Northern District, Chicago Eastern Division  
v Appellant Case No. 07-2204 ) District Court No. 07 C 538  
And Case No. 07-3891 )  
John Cunningham Dugan, Comptroller )  
Office of the Comptroller of the Currency )  
Respondents/Appellee(s) )  
\_\_\_\_\_  
Honorable Wayne R. Andersen

J/N **FILED**  
FEB 08 2008 FEB 13 2008  
Date: February 08/2008 MICHAEL W. DORRINS  
CLERK, U.S. DISTRICT COURT

The Petitioner/Plaintiff: Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Maumee

**Motion for Judgment by Default**

[Fed. R. App. P. Rule 27(a)(2)(B)(iii) and Fed. R. Civ. P. Rule 55(a) & Rule 69(a)]

**Application to Enforce a Judgment by Default**

[Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 69(b) & Rule 55(b)(2)]

**Docketing Statement And Appearance**

[Cir. R. Rule 3(c)(1) and Cir. R. Rule 3(c)]

Pro se Litigant:

District Court No. 07 C 538

Appellant Case No. 07-2204

Appellant Case No. 07-3891

Consolidated Appeals

December 05, 2007

Brief Filed December 11, 2007

**Notice: Entry for Judgment by Default**

Date: February 08, 2008

In the nature of an executory action, Petitioner / Appellant seeks an Order for Entry of Default and Application to Enforce a Judgment by Default, that said Order shall be Entered on the Docket pursuant to Fed. R. App. P. Rule 36(a), Rules 15(b), 15(b)(2) & 15(c), and Fed. R. Civ. P. Rule 54(c) & Rule 58(d).

Ravanna Sanders-Bey

U.S.A. Post Office Box 21318  
Chicago, Illinois Republic, Washitaw  
[Via: u.s.A. postal zone 60621-0318]

*Ravanna Sanders-Bey*  
/S/ Ravanna Sanders-Bey  
Signature of Petitioner/Appellant  
Pro se Litigant: 28 U.S.C. § 1654(a)

### **Grounds And Relief Sought**

[Fed. R. App. P. Rule 27(a)(2)(A) & Rule 15(b)(3)]

On February 8, 2008, Petitioner / Appellant filed a Motion [Fed. R. App. P. Rule 27(a)(2)(B) (iii), for an Entry of Default [Fed. R. Civ. P. Rule 55(a) & Rule 69(a)] and an Application to Enforce a Judgment by Default [Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 55(b)] against Respondents / Appellees [Fed. R. Civ. Rule 69(b)], with the Clerk of the U.S. District Court.

If Respondents / Appellees fail to file an answer or otherwise file an appearance with the Clerk of the U.S. District Court within 20 days [Fed. R. App. P. Rule 15(b)(2)], after receipt of the Notice [Fed. R. App. P. Rule 15(c)] filed February 8, 2008, the Court shall enter a Default Judgment [Fed. R. Civ. P. Rule 55(b)] and Writ of Execution [Fed. R. Civ. P. Rule 69(a) & (b)] against Respondents / Appellees for the relief requested.

Respondents / Appellees, 60 days after the filing and service of the Complaint and summons, were non-responsive to allegations of the pleadings, upon which relief was sought. Therefore, a Judgment by Default should be Entered for want of an appearance, or for failure to plead, against the United States, Officers and Agency [Fed. R. Civ. P. Rule 55(d) & 55(e)]. Claimant has established a claim or right to relief by a showing of government breach of fiduciary duty.

## **Application for Relief and Enforcement: Demand for Judgment**

[Fed. R. App. P. Rule 27(a)(1) & Rule 15(b) and Fed. R. Civ. P. Rule 54(c)]

Respondents / Appellees have failed to exercise due care in their actions or omissions as fiduciary agents for the federal government. Each have breached their fiduciary duty to protect the “Trust Relationship” established between the fiduciary and the trustee. The **Office of the Comptroller of the Currency** has failed to provide adequate guidance and advice to bank officials at TCF National Bank. Each Respondent, therefore, must be held accountable for the loss of trust funds in the name of the **Trustee Ravanna Sanders-Bey** [28 U.S.C.S. § 2465(a)(1), § 2465(b)(1)(C)(i) and 31 U.S.C. § 3721(a)(3)].

The authority for any **federal agency** to be sued in its own name shall be construed to authorize suits against such **federal agency** on claims which are cognizable under section 1606 of Title 28 of the United States Codes, and remedies provided under said section: "the foreign state shall be liable in the same manner and to the same extent as a private individual under like circumstances." The remedy against the **United States** provided by sections 1330(a), 1330(b), 1605(a)(5) and 1606 of Title 28 of the United States Code for "**loss of property**," resulting from the wrongful act or omission of any employee of the Government while acting within the scope of his/her office or employment, is exclusive of any other civil action or proceeding for money damages by reason of the same subject matter against federal employee(s) whose act or omission gave rise to the claim [31 U.S.C.S. § 3721(a)(2)(C) & § 3721(c)].

Any civil action or proceeding commenced upon such claim in a United States district court shall be deemed an action against the **United States** under the provisions of sections **1609** and **1610(a)(2)** of Title **28** of the United States Codes, and the **United States** shall be substituted as the party respondent, pursuant to **Fed. R. Civ. P. Rule 4(d)(4)**.

**Remedy: Prayer For Relief**  
**Subrogation / Indemnification: Court Assessment Of Damages**  
[31 U.S.C. § 3721(e), (f)(1) & (g) and 31 U.S.C. § 3721(a)(2)(C)]

**Indemnification of the United States** against the liability of its employees, pursuant to 31 U.S.C. § 3721(e) & § 3721(g), gives rise to government employee immunity for any damages incurred by the injured party. Therefore, Respondents / Appellees, Officers and Agency of the United States may be regarded as the “**subrogate**; and said government employees, Respondents/ Appellee(s), Officers and Agency, may be regarded as “**Subrogor**” in their individual capacity, in which a “**Subrogation/Indemnity action**” brought by the Petitioner / Appellant as the “**Subrogee**,” the injured party, may receive relief, as assessed by the Court, sufficient to support an award of punitive damage pursuant to Title 28 U.S.C. § 1606.

Ravanna Sanders-Bey ) Appeal from the District Court for the  
Petitioner/Appellant ) Northern District, Chicago Eastern Division  
v Appellant Case No. 07-2204 ) ) District Court No. 07 C 538  
And Case No. 07-3891 ) )  
John Cunningham Dugan, Comptroller ) Honorable Wayne R. Andersen  
Office of the Comptroller of the Currency )  
Respondents/Appellee(s) ) Date: February 08, 2008

**The Petitioner/Plaintiff:** Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Muurs

**Appendix, Table Of Contents: Motion for Judgment by Default**  
[Fed. R. App. P. Rule 27(a)(2)(B)(iii) and Fed. R. Civ. P. Rule 55(a) & Rule 69(a)]

## **Application to Enforce a Judgment by Default**

[Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 69(b) & Rule 55(b)(2)]

District Court No. 07 C 538  
Appellant Case No. 07-2204

**Appellant Case No. 07-3891  
Consolidated Appeals  
December 05, 2007  
Brief Filed December 11, 2007**

**Notice: Entry for Judgment by Default  
Date: February 08, 2008**

### Motion for Judgment by Default

- I. **Cover Page**
  - II. **Grounds and Relief Sought**
  - III. **Application for Relief and Enforcement: Demand for Judgment**
  - IV. **Remedy: Prayer for Relief, Court Assessment of Damages**
  - V. **Interest on Judgment [Fed. R. App. P. Rule 37(a)]:**  
The Judgment shall draw interest at a rate determined by the Court [six percent per annum] from the date of judgment until satisfaction.
  - VI. **Appendix, Table Of Contents: Exhibits in Support of Motion [Fed. R. App. P. Rule 30(e)]:**
    - A. Briefing Completed and the Appeal will proceed to Disposition [December 11, 2007];
    - B. Appeals Consolidated Order [December 05, 2007];
    - C. Certificate Of Service;
    - D. Certified Mail Return Receipt.

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

December 11, 2007

*Before*

Hon. RICHARD A. POSNER, *Circuit Judge*

RAVANNA SANDERS-BEY, Plaintiff-Appellant, Nos. 07-2204 and 07-3891	v.	] Appeals from the United ] States District Court for ] the Northern District of ] Illinois, Eastern Division. ] ]
JOHN C. DUGAN, DEBRA BAKER, Manager, NANCY DALE, et al., Defendants-Appellees.		] No. 07 C 538 ] ] Wayne R. Andersen, Judge

The appellant has filed his opening brief and requests, without an explanation, that the appeal be expedited. Because there are no appellees, the appeal is now ready for disposition. Accordingly, briefing is now completed and the appeal will proceed to disposition as soon as this court's docket permits.

# United States Court of Appeals

for the ~~Seventh~~ Circuit  
Chicago, Illinois 60604

December 5, 2007

**By the Court:**

RAVANNA SANDERS-BEY, Plaintiff-Appellant,	] Appeals from the United States District Court for
Nos. 07-2204 and 07-3891	] the Northern District of Illinois, Eastern Division.
JOHN C. DUGAN, DEBRA BAKER, Manager, NANCY DALE, et al., Defendants-Appellees.	] No. 07 C 538 ] Wayne R. Andersen, Judge.

O R D E R

The court, on its own motion, orders that these appeals are CONSOLIDATED for purposes of briefing and disposition.

The briefing schedule is as follows:

1. The plaintiff-appellant shall file his consolidated brief and required short appendix on or before January 7, 2008.

**NOTE:** Counsel should note that the digital copy of the brief required by Circuit Rule 31(e) must contain the entire brief from cover to conclusion. The language in the rule that "the disk contain nothing more than the text of the brief..." means that the disk must not contain other files, not that tabular matter or other sections of the brief not included in the word count should be omitted. The parties are advised that Federal Rule of Appellate Procedure 26(c), which allows for three additional days after service by mail, does not apply when the due dates of briefs are set by order of this court. All briefs are due by the date ordered.

**Important Scheduling Notice!**

Notices of hearing for particular appeals are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your particular appeal might be scheduled, please write the clerk advising him of the time period and the reason for such unavailability. Session data is located at <http://www.ca7.uscourts.gov/cal/calendar.pdf>. Once an appeal is formally scheduled for a certain date, it is very difficult to have the setting changed. See Circuit Rule 34(e).

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS                   CHICAGO EASTERN DIVISION

### **Certificate Of Service**

Ravanna Sanders-Bey ) Appeal from the District Court for the  
Petitioner/Appellant ) Northern District of Illinois, Eastern Division  
v Appellant Case No. 07-2204 )  
And Case No. 07-3891 )  
John Cunningham Dugan, Comptroller )  
Office of the Comptroller of the Currency )  
Respondents/Appellee(s) )  
District Court No. 07 C 538  
Honorable Wayne R. Andersen  
Date: February 08, 2008

The Petitioner/Plaintiff: Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Muurs

**Proof Of Service: Notice and Motion for Judgment by Default**

I, Ravanna Sanders-Bey, do declare that on this date, **February 08, 2008**, I served a **Notice and Motion** to the parties noted below, by depositing a properly mail envelope containing said **Notice and Motion** in the United States mail addressed to each via "certified return receipt," postage prepaid.

I declare under penalty of perjury, under International Law and pursuant to the laws for the United States of America, pursuant to 28 C.F.R. § 16.41(d) and 28 U.S.C. § 1746(1), that the foregoing is true and correct.

7007 0220 0001 5366 4139

**John Cunningham Dugan**, Comptroller  
Office of the Comptroller of the Currency  
U.S. Department of the Treasury, 9<sup>th</sup> Floor  
Independence Square, 250 E Street, S.W.  
Washington, D.C. 20058 - 0000

7007 0220 0001 5366 4146

**Michael B. Mukasey**, Attorney General  
Attorney General of the United States  
U.S. Department of Justice  
10<sup>th</sup> and Constitution Avenues, N.W. 511  
Washington, D.C. 20530-0000

7007 0220 0001 5366 4122

**Patrick Fitzgerald**, U.S. Attorney  
Northern District of Illinois  
Chicago Eastern Division, 5<sup>th</sup> FL  
219 South Dearborn Street  
Chicago, Illinois 60604 - 0000

~~Signature of Petitioner/Appellant  
Pro se Litigant: 28 U.S.C. §1654(a)~~

**Ravanna Sanders-Bey**  
U.S.A. Post Office Box 21318  
Chicago, Illinois Republic, Washitaw  
[Via: u.s.A. pz 60621 - 0318]

February 08, 2008

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - Print your name and address on the reverse so that we can return the card to you.
  - Attach this card to the back of the envelope, or on the front if space permits.
- 1 Article Addressed to:

**Patrick Fitzgerald, U.S. Attorney**  
**Northern District of Illinois**  
**Chicago Eastern Division, 5<sup>th</sup> FL**  
**719 South Dearborn Street**  
**Chicago, Illinois 60604 - 0000**

2 Article Number  
 (Number from 3a)

7007 0220 0001 5366 4122

PS Form 3811, February 2004

Domestic Return Receipt

1625W074A-1540

**COMPLETE THIS SECTION ON DELIVERY**

A Signature

X

Agent

Addressee

B Received by (Printed Name)

C Restricted Delivery

D Delivery Address differs from item 2?  Yes  
 If YES, enter delivery address below.  No

3 Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

E Restricted Delivery (Check Box)

Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - Print your name and address on the reverse so that we can return the card to you.
  - Attach this card to the back of the envelope, or on the front if space permits.
- 1 Article Addressed to:

**JOHN CUNNINGHAM DUGAN**  
**Office of the Comptroller of the Currency**  
**U.S. Department of the Treasury, 9<sup>th</sup> Floor**  
**Independence Square, 250 E Street, S.W.**  
**Washington, D.C. 20219 - 0000**

2 Article Number  
 (Number from 3a)

7007 0220 0001 5366 4139

PS Form 3811, February 2004

Domestic Return Receipt

1625W074A-1540

**COMPLETE THIS SECTION ON DELIVERY**

A Signature

X

Agent

Addressee

B Received by (Printed Name)

C Restricted Delivery

D Delivery Address differs from item 2?  Yes  
 If YES, enter delivery address below.  No

E Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

F Restricted Delivery (Check Box)

Yes

2 Article Number  
 (Number from 3a)

7007 0220 0001 5366 4146

PS Form 3811, February 2004

Domestic Return Receipt

1625W074A-1540